

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MARLON EDWARDS,

Plaintiff,

v.

DR. KALEKA, et al.,

Defendants.

No. 1:25-cv-00120-SAB (PC)

ORDER DIRECTING DEFENDANTS TO
FILE A RESPONSE TO THE OPERATIVE
COMPLAINT

(ECF Nos. 9, 13, 19)

Plaintiff is proceeding pro se and in forma pauperis in this action filed pursuant to 42 U.S.C. § 1983.

On March 10, 2025, in accordance with 28 U.S.C. § 1915A and 42 U.S.C. § 1997e(c), the Court found that Plaintiff stated a cognizable claim for deliberate indifference against Defendants Dr. Kaleka, Dr. Odeluga, and Dr. A. Shittu, and ordered the complaint to be electronically served on Defendants. (ECF Nos. 8, 9.)

On June 4, 2025, Defendants Kaleka and Odeluga filed a waiver of their right to reply to the complaint under 42 U.S.C. § 1997e(g). (ECF No. 13.) After receiving an extension of time, Defendant Shittu filed a waiver of reply to the complaint on June 12, 2025. (ECF No. 19.)

Pursuant to 42 U.S.C. § 1997e(g)(1), “[a]ny defendant may waive the right to reply to any action brought by a prisoner confined in any jail, prison, or other correctional facility under [§

1 1983] or any other Federal law.” “No relief shall be granted to the plaintiff unless a reply has
2 been filed.” Id. Further, “[t]he court may require any defendant to reply to a complaint brought
3 under this section if it finds that the plaintiff has a reasonable opportunity to prevail on the
4 merits.” Id. § 1997e(g)(2).

5 Here, the Court’s March 10, 2025 service order, directed Defendants to reply to the
6 complaint pursuant to 42 U.S.C. § 1997e(g)(2). (See ECF No. 9 at 1.) Accordingly, it is
7 HEREBY ORDERED that within **ten (10)** days from the date of service of this order, Defendants
8 shall file a response to the operative complaint. Failure to comply with this order may result in
9 the imposition of sanctions, and Defendants are advised to carefully review each order to avoid
10 the issuance of unnecessary orders.

11 IT IS SO ORDERED.

12 Dated: **June 13, 2025**



13
14 STANLEY A. BOONE
United States Magistrate Judge